

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JACQUELINE J. FAVINGER	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO.
DISCOVER BANK and WELTMAN,	:	
WEINBERG & REIS CO., L.P.A.	:	
Defendants	:	

**NOTICE OF REMOVAL**

Defendant WELTMAN, WEINBERG & REIS CO., L.P.A. (“Defendant”), by its undersigned counsel, along with consent of Defendant DISCOVER BANK, hereby petitions this Court as follows, pursuant to 28 U.S.C. § 1441(a):

1. WELTMAN WEINBERG & REIS CO., L.P.A. and DISCOVER BANK are defendants in an action pending in the Court of Common Pleas of Chester County, Docket No. 2020-08758-MJ (“the State Court Action”). A true and correct copy of the Complaint in the State Court Action is attached hereto as Exhibit “A”.

2. Plaintiff in the State Court Action is JACQUELINE J. FAVINGER (“Plaintiff”).  
See Exhibit “A”.

3. Plaintiff’s State Court Action alleges violations arising under the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, *et seq.*

4. The State Court Action involves a question of federal law. Pursuant to 28 U.S.C. § 1331, “The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

5. Pursuant to 28 U.S.C. § 1441(a), “[a]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the

defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending.”

6. Since this case arises out of violations of the Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692, *et seq.*, Defendants may properly remove the State Court Action based on 28 U.S.C. § 1441(a).

7. This Notice has been filed with the Court within thirty (30) days after purported service of the Complaint on WELTMAN, WEINBERG & REIS CO., L.P.A. or about December 1, 2020.

8. All Defendants consent to removal.

WHEREFORE, Defendant WELTMAN, WEINBERG & REIS CO., L.P.A. prays that the State Court Action be removed from the Court of Common Pleas of Chester County, Docket No. 2020-08758-MJ, to this Court for proper and just determination.

KAUFMAN DOLOWICH & VOLUCK, LLP

By: /s/ Graeme E. Hogan  
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Attorneys for Defendant Weltman, Weinberg &  
Reis Co., L.P.A.

Dated: December 28, 2020

## **CERTIFICATE OF SERVICE**

I, GRAEME E. HOGAN, ESQUIRE, hereby certify that on or about this date, I served a true and correct copy of the foregoing electronically via the Court's CM/ECF system, first class mail, postage prepaid, and email on the following:

Shane L. Weaver, Esquire  
33 Robin Hood Drive  
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Attorney for Plaintiff

Dated: December 28, 2020

/s/ Graeme E. Hogan  
GRAEME E. HOGAN

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